

February 4, 1975

PRESIDENT: Senator Chambers.

SENATOR CHAMBERS: Mr. President, members of the Legislature, I'll be very brief in expressing my support of Senator Koch's bill. I think he covered very well and capably the purposes of a bill like this. I think he adequately justified it. I would like to make, what I consider to be, one correction. He stated that if, and this is on a philosophy rather than actual correct or incorrect position, he stated that were the Lieutenant Governor not to preside over the Legislature he could then be the executive arm of the Governor. I would change that to say then he could be legitimately the hatchet arm of the Governor, which really is the role that a Lieutenant Governor or vice president tends to play. In a situation where there is supposed to be a separation of powers, legislative, executive and judicial, it is not proper that anybody from one of the other branches sit in the body that makes the law and have a vote during the proceedings of that body. There is no member of the Legislature who sits in when the judges have a council or an open trial. There is nobody from the Legislature on the inner workings of the Governor's office. So it is a total anachronism to have a Lieutenant Governor presiding over the Legislature. Again, if you look at the situation historically the Lieutenant Governor could be an off-shoot or a spin-off from the vice president. You all know that John Adams said that his country in its wisdom contrived for him the most useless, worthless, and meaningless position that human mind could conceive of. So since there is no real function for a vice president, they had to manufacture a duty for him. Since the Legislature customarily is considered the body that represents the people that have to be held under a tight rein, why not put the President in the Congress or the Senate through the Vice President. In cases of tie, the Vice President can vote in the U.S. Senate, which I think also ought not to be the case. So with those few considerations, that I hope you will think about, this amendment will not hurt the operation of the Legislature at all. It will not upset any checks and balances that should exist in this three-headed system of government. But it will give to the Legislature a type of independence, a type of freedom of action, and the power to control its own deliberations. Should the Speaker, it happens to be Senator Burbach at this time, be made by this amendment to preside over the Legislature, should a matter come up that he chose or she chose to debate on the floor . . . we've had situations where the Speaker or the presiding officer would step aside and another member of the Legislature will sit in that chair, so that could be sort of a titular position for the Speaker to preside over the Legislature. When he or she, whoever the Speaker might be at that time, had some other participation which could not occur while presiding, that person could step out of the chair and somebody else could take over, or there could be an amendment which would allow the Legislature to designate, select, hire, or any other method, come up with a Speaker.

PRESIDENT: Mr. Clerk, is there an amendment on the desk? Is there an amendment?